

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 HALL CA-NV, LLC, a Texas limited  
9 liability company,

10 Plaintiff(s),

11 vs.

12 LADERA DEVELOPMENT, LLC, a  
13 Nevada limited liability company,

14 Defendant(s).

Case # 3:18-cv-00124-RCJ-VPC

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

FILING FEE IS \$250.00

15  
16 Lindsey C. Herzog, Petitioner, respectfully represents to the Court:  
(name of petitioner)

17 1. That Petitioner is an attorney at law and a member of the law firm of

18 Lewis Roca Rothgerber Christie LLP

19 (firm name)

20 with offices at 201 East Washington Street, Suite 1200,  
(street address)

21 Phoenix,  
(city)

Arizona,  
(state)

85004-2595,  
(zip code)

22 602.262.5360,  
(area code + telephone number)

lherzog@lrrc.com.  
(Email address)

23  
24 2. That Petitioner has been retained personally or as a member of the law firm by

25 Ladera Development, LLC  
26 [client(s)]

27 the above-entitled case now pending before this Court.  
28

3. That since October 28, 2015, Petitioner has been and presently is a  
(date)  
member in good standing of the bar of the highest Court of the State of Arizona  
(state)  
where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
possession of the United States in which the applicant has been admitted to practice law certifying  
the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
U.S. District Court of Arizona	September 11, 2017	032514
Ninth Circuit Court of Appeals	July 23, 2018	032514
Arizona Supreme Court	November 1, 2015	032514

5. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

(State "none" if Petitioner has no disciplinary proceedings, etc.) NONE

1           6.       That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2 particulars if ever denied admission):

3 (State "none" if Petitioner has never been denied admission.) NONE  
4  
5

6           7.       That Petitioner is a member of good standing in the following Bar Associations.

7 (State "none" if Petitioner is not a member of other Bar Associations.) NONE  
8  
9

10           8.       Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

12 Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
------------------------	-------	--	---

13  
14 NONE  
15  
16  
17  
18

19 (If necessary, please attach a statement of additional applications)

20           9.       Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22 extent as a member of the State Bar of Nevada.

23           10.      Petitioner agrees to comply with the standards of professional conduct required of  
24 the members of the bar of this court.

25           11.      Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26 practice in this jurisdiction and that the client has consented to such representation.  
27  
28

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

3  
4 STATE OF Arizona )  
5 COUNTY OF Maricopa )  
6

[Signature]  
Petitioner's signature

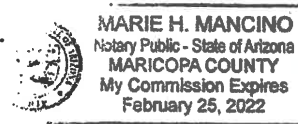
7 Lindsey C. Herzog, Petitioner, being first duly sworn, deposes and says:  
8 That the foregoing statements are true.

9 [Signature]  
Petitioner's signature

10 Subscribed and sworn to before me this

11 19 day of DECEMBER, 2018.

12 [Signature]  
13 Notary Public or Clerk of Court



14  
15  
16 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**  
17 **THE BAR OF THIS COURT AND CONSENT THERETO.**

18 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
19 believes it to be in the best interests of the client(s) to designate David McElhinney,  
20 (name of local counsel)  
21 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
22 above-entitled Court as associate resident counsel in this action. The address and email address of  
23 said designated Nevada counsel is:

24 One East Liberty Street, Suite 300,  
(street address)  
25 Reno, Nevada, 899501-2128,  
(city) (state) (zip code)  
26 775.823.2900, dmcelhinney@lrrc.com.  
(area code + telephone number) (Email address)  
27  
28

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.  
4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**  
6

7 The undersigned party(ies) appoint(s) David C. McElhinney as  
8 his/her/their Designated Resident Nevada Counsel in this case.  
(name of local counsel)

9  
10   
(party's signature)

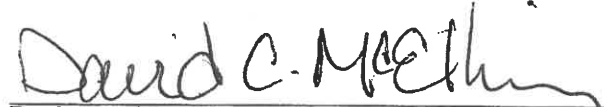
11 Jeff Pickett Managing Member  
12 (type or print party name, title)

13  
14 (party's signature)

15  
16 (type or print party name, title)

17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19 

20 Designated Resident Nevada Counsel's signature

21 33  
22 Bar number

dmcelhinney@lrrc.com  
Email address

23 APPROVED:

24 Dated: this 2nd day of January, 2019.

25   
26 UNITED STATES DISTRICT JUDGE  
27  
28

# **EXHIBIT 1**

## **CERTIFICATES OF GOOD STANDING**

# **EXHIBIT 1**

**CERTIFICATE OF THE CLERK OF THE SUPREME COURT  
OF THE  
STATE OF ARIZONA**

---

*I, Janet Johnson, Clerk of the Supreme Court of the State of Arizona, hereby certify that, according to the records of my office and upon the recommendation of the Disciplinary Clerk of the Supreme Court of Arizona*

**LINDSEY CHRISTINE HERZOG**

*was on the 28<sup>th</sup> day of October, 2015 duly admitted to practice as an Attorney and Counselor at Law in all the courts of Arizona; that no disciplinary proceedings are pending against this attorney in the Arizona Supreme Court as of the date of this certificate; and that this name now appears on the Roll of Attorneys in this office as an active member of the State Bar of Arizona in good standing.*

*Given under my hand and the seal of  
said Court this 20<sup>th</sup> day of  
November, 2018.*

*JANET JOHNSON, Clerk*

By   
Krystle Dominguez  
Deputy Clerk II

CERTIFICATE OF GOOD STANDING  
ISSUED BY THE DISCIPLINARY CLERK  
FOR AND ON BEHALF OF  
THE SUPREME COURT OF ARIZONA

The Disciplinary Clerk pursuant to Rule 74, Rules of the Supreme Court of Arizona, hereby certifies that according to the records of the State Bar, **LINDSEY CHRISTINE HERZOG** was duly admitted to practice as an attorney and counselor at law in all courts of Arizona by the Supreme Court of Arizona on October 28, 2015 is now, as of the date of this Certificate, an active member of the State Bar of Arizona in good standing.

Given under the seal of the Disciplinary  
Clerk of the Supreme Court of Arizona this  
November 19, 2018.



Amanda McQueen  
Disciplinary Clerk